

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re:

Case No. 13-53846

CITY OF DETROIT, MICHIGAN

In Proceedings Under
Chapter 9

Debtor.

Hon. Steven W. Rhodes

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**AMBAC'S EX PARTE MOTION TO FILE AN OBJECTION
IN EXCESS OF PAGE LIMITS**

Ambac Assurance Corporation ("Ambac"), a creditor and party in interest in the above-captioned case, hereby moves the Court (the "*Ex Parte* Motion"), pursuant to Rule 9014-1(e) of the Local Rules for the United States Bankruptcy Court for the Eastern District of Michigan (the "Local Bankruptcy Rules") and Rule 7.1(d) of the Local Rules for the United States District Court for the Eastern District of Michigan (the "Local Rules"), for the entry of an Order authorizing Ambac to file an objection (the "Objection") to the Motion of the Debtor for a Final Order Pursuant To 11 U.S.C. §§ 105, 362, 364(C)(1), 364(C)(2), 364(E), 364(F), 503, 507(A)(2), 904, 921 and 922 (I) Approving Post-Petition Financing; (II) Granting Liens and Providing Superpriority Claim Status and (III) Modifying Automatic Stay [Doc. No. 1520] (the "Motion"),¹ in excess of the pages limits imposed by Local

¹ Capitalized terms not otherwise defined herein shall have the meanings given to them in the Motion.

Bankruptcy Rule 9014-1(e) (20 pages) (if applicable) and Local Rule 7.1(d)(3) (25 pages). In support of this *Ex Parte* Motion, Ambac states as follows:

1. On November 5, 2013, the City filed the Motion seeking an Order under section 364(c) of the Bankruptcy Code authorizing the City to (a) obtain senior secured Post-Petition Financing on a superpriority basis and on the terms set forth in the Commitment Letter, Bond Purchase Agreements, and Financial Recovery Bond Trust Indenture (the “Financing Documents”); (b) perform all acts contemplated by the Financing Documents; (c) grant the Purchaser automatically attached and perfected security interests in and liens on the Collateral on the terms described in the Purchase Agreements; and (d) grant superpriority administrative expense claim status to the Purchaser’s claim with respect to the Post-petition Financing. The City further asks the Court to vacate or modify the automatic stay to the extent necessary to implement and effectuate the terms and provisions of the Purchase Agreements and Proposed Order. Motion, pp. 2-3.

2. Combined, the Motion, exhibits, proposed order, and related documents total 264 pages.

3. Local Rule 7.1(d)(3)(A), made applicable in this case by Local Bankruptcy Rule 9029-1(a), states that an objection may not exceed 25 pages. E.D. Mich. LR 7.1(d)(3)(A).

4. Due to the length and complexity of the City's Motion, Ambac requires more than 25 pages to respond meaningfully. Accordingly, Ambac respectfully requests that it be granted relief from Local Rule 7.1(d)(3)(A) to permit it to file an Objection in excess of the page limitations.

WHEREFORE, Ambac respectfully requests that the Court enter an order substantially in the form attached hereto as **Exhibit 1**: (i) granting the relief sought herein, and (ii) granting such other and further relief to Ambac as the Court deems just and proper.

Respectfully Submitted,

ARENT FOX LLP

Dated: November 27, 2013

By: /s/ Carol Connor Cohen
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SUMMARY OF ATTACHMENTS

The following documents are attached to this Motion, labeled in accordance with Local Bankruptcy Rule 9014-1(b):

Exhibit 1 - Proposed Form of Order

Exhibit 2 - None [Motion Seeks *Ex Parte* Relief]

Exhibit 3 - None [Brief Not Required]

Exhibit 4 - None [Separate Certificate of Service To Be Filed]

Exhibit 5 - None [No Affidavits Filed Specific to This Motion]

Exhibit 6 - None [No Documentary Exhibits Filed Specific to This Motion]

EXHIBIT 1

**UNITED STATES BANKRUPTCY COURT
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**ORDER AUTHORIZING AMBAC TO FILE
AN OBJECTION IN EXCESS OF PAGE LIMITS**

This matter coming before the Court on Ambac's² *Ex Parte Motion to File an Objection in Excess of Page Limits* (the "Ex Parte Motion"), and the Court being fully advised in the premises,

IT IS HEREBY ORDERED THAT:

1. The *Ex Parte* Motion is GRANTED.
2. Ambac is granted relief from Local Bankruptcy Rule 9014-1(e) and Local Rule 7.1(d) and may file an Objection in excess of 25 pages.

² Capitalized terms not otherwise defined herein shall have the meanings given to them in the *Ex Parte Motion*.

CERTIFICATE OF SERVICE

I hereby certify that on this 27th day of November, 2013 the foregoing *Ex Parte* Motion to File an Objection in Excess of Page Limits was filed with the Court's electronic case filing and noticing system and served on all parties registered to received electronic notices in this matter.

/s/ Carol Connor Cohen